

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LUIS JAVIER MENDOZA-ORDONEZ,

Petitioner,

v.

CRAIG A. LOWE, et al.,

Defendants.

:  
: CIVIL ACTION NO. 1:16-CV-1777  
:  
: (Judge Mariani)  
: (Magistrate Judge Mehalchick)  
:  
:  
:  
:

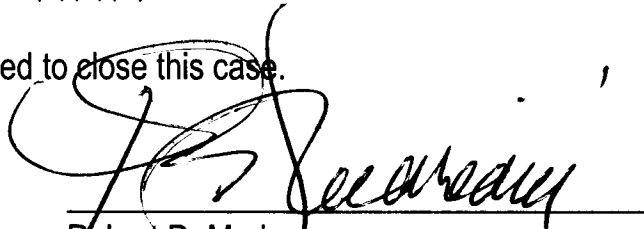
**ORDER**

AND NOW, THIS 28th DAY OF MARCH 2019, upon *de novo* review of Magistrate Judge Mehalchick's Report and Recommendation ("R&R") (Doc. 44), **IT IS HEREBY**

**ORDERED THAT:**

1. The R&R (Doc. 44) is **NOT ADOPTED**.
2. The objections raised in Petitioner's Objections to the Report and Recommendation (Doc. 45) are **SUSTAINED** to the extent set forth in the Court's Memorandum Opinion.
3. Petitioner's Motion for Attorneys' Fees and Costs Pursuant to the Equal Access to Justice Act (Doc. 35) is **GRANTED IN PART and DENIED IN PART**:
  - a. The Motion is GRANTED in that Petitioner is awarded EAJA fees and costs as of November 2, 2016;

- b. The Motion is DENIED as to the period of August 21, 2016,  
through November 1, 2016.
4. \$19,596.49 in fees and costs are awarded to Brophy and Lenahan P.C.  
pursuant to 28 U.S.C. § 2412(d)(1)(A).
5. The Clerk of Court is directed to close this case.



Robert D. Marian  
United States District Judge